

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

DAVID JONES
ADC #94099

PLAINTIFF

V.

5:12CV00456 SWW/JTR

MEGAN BOND, Varner Unit Infirmary,
Arkansas Department of Correction, et al.

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Partial Disposition submitted by United States Magistrate Judge J. Thomas Ray. No objections have been filed. After careful review, the Court concludes that the Proposed Findings and Recommended Partial Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED that:

1. Defendants' Motion for Summary Judgment (Doc. 78) be GRANTED IN PART.

2. Plaintiff may PROCEED with his inadequate medical care claims against Defendants Bonds, Maloney, Hubbard, and Iko from June 17, 2011 until August 13, 2012; and his claims against them for the medical care they provided after August 13,

2012, are DISMISSED WITHOUT PREJUDICE due to a lack of exhaustion.

3. The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

Dated this 5th day of December, 2013.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE